

HOUSE No. 1921

By Mr. Toomey of Cambridge, petition of Timothy J. Toomey, Jr.,
and others relative to investigations of fires and explosions by the
State Fire Marshal. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

PETITION OF:

Timothy J. Toomey, Jr. Christopher J. Donelan
Barbara A. L'Italien

In the Year Two Thousand and Five.

AN ACT INVESTIGATIONS OF FIRE AND EXPLOSIONS BY THE STATE FIRE MARSHAL.

*Be it enacted by the Senate and House of Representatives in General
Court assembled, and by the authority of the same, as follows:*

1 Chapter 148 of the Massachusetts General Laws, as appearing
2 in the 2002 Official Edition is hereby amended by inserting, after
3 section 3 the following new section:—
4 Section 3A. Notwithstanding any general or special law to the
5 contrary, whenever the marshal has reason to believe that a fire or
6 explosion of suspicious origin may be directly related to the
7 delivery of electricity or gas by an electric or gas company, as
8 defined in M.G.L c. 164, he shall have exclusive jurisdiction to
9 investigate the cause and origin of said fire or explosion, until
10 such time as he has concluded his investigation. The marshal may
11 require said electric or gas company, as the case may be, to pro-
12 vide payment for laboratory analysis, as he shall deem necessary,
13 to carry out said investigation. The laboratory testing shall remain
14 confidential and not available to any persons, including said gas
15 or electric companies or other regulatory agencies until the mar-
16 shal has concluded his investigation or sooner if the marshal has
17 determined the sharing of such information is in the public's
18 interest.